

AN ORDINANCE

AMENDING CHAPTER 1, ENTITLED "ADMINISTRATION AND GOVERNMENT," OF THE TOWNSHIP OF EAST COVENTRY CODE OF ORDINANCES, ADDING A PART CREATING AND ESTABLISHING A HISTORICAL COMMISSION FOR SAID TOWNSHIP; PROVIDING FOR THE PURPOSE, MEMBERSHIP, ORGANIZATION, MEETINGS, CONDUCT OF BUSINESS, POWERS AND DUTIES OF SAID COMMISSION; PROVIDING FOR THE APPOINTMENT AND TERM OF MEMBERS OF SAID COMMISSION AND THE FILLING OF VACANCIES THEREIN; PROVIDING FOR THE ACCEPTANCE AND UTILIZATION OF ASSISTANCE BY OR FOR SAID COMMISSION; AND DEFINING CERTAIN WORDS AND PHRASES.

The Board of Supervisors of East Coventry Township, Chester County, Pennsylvania, hereby ENACTS and ORDAINS as follows:

SECTION 1. Chapter 1, entitled "Administration and Government," of the Township of East Coventry Code of Ordinances be and is hereby amended by adding thereto the following Part:

Part 5

Historical Commission

§501. Definitions. The following words and phrases, when used in this Part, shall have the meanings given in this section unless the context clearly indicates otherwise:

"Board of Supervisors" shall mean the Board of Supervisors of the Township.

"Historical Commission" or "Commission" shall mean the East Coventry Township Historical Commission established and created under and by this Part.

"Historic District Act" shall mean the Act of June 13, 1961, P.L. 282, No. 167, as amended, 53 P.S. § 8001 et seq.

"National Historic Preservation Act" shall mean the National Historic Preservation Act of 1966, as amended, 16 U.S.C. §§ 470-470w-6.

"Planning Commission" shall mean the Planning Commission of the Township.

"Sunshine Act" shall mean the Act of July 3, 1986, P.L. 388, No. 84, as amended, 65 P.S. § 271 et seq.

"Township" shall mean the Township of East Coventry, Chester County, Pennsylvania.

\$502. Creation and Purpose of Historical Commission.

1. There is hereby created and established in the Township a commission to be known as the "East Coventry Township Historical Commission."

2. The purpose of the Historical Commission is to serve, under and in accordance with the provisions of this Part, as an advisory body and resource to the Board of Supervisors, the Planning Commission, other agencies and officials of the Township, the citizens of the Township, and such other persons as the Board of Supervisors may direct, for advice and information on historic preservation and restoration.

\$503. Membership.

1. The Historical Commission shall be composed of not less than seven (7) nor more than fifteen (15) members.

2. All members of the Historical Commission shall be, at the time of appointment and at all times while serving as members of the Commission, residents of the Township.

3. At least one member of the Historical Commission shall be, at the time of appointment and at all times while serving as a member of the Commission, also a member of the Planning Commission.

4. All members of the Historical Commission shall serve without compensation, but, when authorized by the Board of Supervisors, may be reimbursed reasonable expenses necessary to perform the duties and exercise the powers of the Commission.

\$504. Appointment; Term; Vacancy.

1. All members of the Historical Commission shall be appointed by the Board of Supervisors.

2. Except for the initial term of the members of the Historical Commission first appointed under this Part, the term of each member of the Commission shall be for three (3) years or until his or her successor is appointed and qualified. The terms of the members of the Historical Commission first appointed under this Part shall be: two (2) members for one (1) year each; two (2) members for two (2) years each; and the remaining members for three (3) years each.

3. Members of the Historical Commission may succeed themselves. There shall be no limitation on the number of successive terms a resident may serve as a member of the Commission.

4. The Chairperson of the Historical Commission shall promptly notify the Board of Supervisors concerning any vacancies in the Commission. Any such vacancy shall be filled by the Board of Supervisors for the unexpired term.

5. At the request of the Board of Supervisors, the Historical Commission shall make recommendations to the Board of Supervisors for appointments to fill vacancies in the Commission.

§505. Organization; Meetings; Conduct of Business.

1. The Historical Commission first appointed shall meet and organize at a public meeting of the Commission held within thirty (30) days after its appointment. Thereafter, the Commission shall meet and organize at a public meeting of the Commission held during the month of January of each year. At each such organization meeting, the Commission shall elect, from among its members, a Chairperson, a Vice Chairperson, a Secretary, and such other officer or officers as it may deem necessary. Each officer shall serve for a period of one (1) year or until his or her successor is elected and qualified. Officers may succeed themselves.

2. The Historical Commission shall hold such regular and special meetings, including work sessions and executive sessions, as necessary to perform its duties, exercise its powers and otherwise conduct such business as may properly come before it. The Commission shall keep and maintain minutes and other records of all its meetings and other activities. All meetings of the Commission, including the giving of meeting notices, conduct of meetings, actions taken at meetings, recording of votes, and keeping of meeting minutes, shall be in accordance with applicable provisions of the Sunshine Act and other law.

3. All meetings of the Historical Commission shall be held in the Township Building, provided that a meeting of the Commission may be held elsewhere with the approval of the Board of Supervisors. The times of Commission meetings shall be as the Commission deems appropriate.

4. A majority of the members of the Historical Commission shall constitute a quorum. Any action to be taken at any meeting of the Commission shall require the affirmative vote of the majority of the members of the Commission present at the meeting.

5. The Historical Commission may make and alter rules and regulations to govern its procedures, including rules and regulations necessary for the conduct of its meetings and the maintenance of order. All such rules and regulations shall be consistent with the ordinances of the Township and other law.

6. The Historical Commission, from time to time as it deems necessary, may establish, and appoint members to, one or more committees for purposes of assisting the Commission with research, providing the Commission expertise, and performing such other duties and functions as may be assigned by the Commission. At least one member of any such committee shall be, at the time of appointment and at all times while serving as a member of the committee, also a member of the Historical Commission. The chairperson of any such committee shall be also a member of the Commission at all times while serving as chairperson. The prior approval of the Board of Supervisors shall be required for the establishment of and appointment of members to any such committee, whose members include, or will include, one or more persons not also members of the Historical Commission.

7. The Historical Commission shall maintain and keep on file full records of its actions. All records and files of the Commission shall be (i) kept and maintained in the Township Building or such other place as may be approved by the Board of Supervisors, (ii) available for public inspection and copying at reasonable times, (iii) in the possession of the Board of Supervisors, and (iv) the property of the Township.

8. The Historical Commission shall annually prepare and submit to the Board of Supervisors, by March 1 of each year, a written report of its activities for the prior calendar year.

§506. Powers and Duties. The Historical Commission shall, at the request of the Board of Supervisors, have the power and duty to do the following which shall be in addition to such other powers and duties set forth in the Part or otherwise provided by law:

1. Identify in the Township significant architectural and historical resources, related natural sites, and landscape features that preserve the integrity of such resources and sites; and develop and maintain a detailed inventory and map or maps of such resources, sites and features, including information thereof or related thereto appropriately classified. Such information shall include, but shall not be limited to, documentary evidence, illustrations, photographs, and other appropriate materials;

2. Create an awareness of the history of the Township from the time of the native Americans to the present day, including the cultural, agricultural, business, educational, and religious endeavors of all persons who lived and/or worked in the Township throughout its history;

3. Research and record the history of the Township and serve as an advisory resource for owners of historic resources in the Township involved with the preservation and/or restoration of such resources;

4. Prepare and submit reports to or for the Board of Supervisors as may be necessary or appropriate or as may be requested from time to time by the Board of Supervisors. Such reports shall be in addition to the annual written report to be prepared and submitted by the Historical Commission to the Board of Supervisors under §505.8 of this Part;

5. Cooperate with and advise the Board of Supervisors, the Planning Commission, and all other Township agencies and officials, Township citizens, and such other persons as the Board of Supervisors may direct, in regard to the preservation and restoration of significant historical structures, sites and natural features, including the review of zoning, subdivision and/or land development proposals, and building and demolition permit applications, which proposals and applications have potential to impact on historic resources;

6. Consider, promote, and, with the approval of the Board of Supervisors, apply for technical and financial assistance, from all appropriate local, county, state, federal, and other agencies, for the preservation and/or restoration within the Township of significant architectural and historical sites, related natural sites, and landscape features that preserve the integrity of such sites; and report to the Board of Supervisors all actions related to any of the foregoing;

7. Prepare and submit a yearly budget to the Board of Supervisors during the regular Township budget process for sums deemed necessary by the Historical Commission to perform its duties and exercise its powers;

8. In conjunction and cooperation with the Board of Supervisors, the Planning Commission and other appropriate public or private groups, to study the feasibility of creating Historic Districts in in the Township pursuant to the Historic District Act;

9. Cooperate with the Board of Supervisors, the Planning Commission, and all other Township agencies and officials, regarding the possible acquisition and use of significant historic structures and sites, including conducting research and proposing the nomination of properties

in the Township to the National Register of Historic Places in accordance with the provisions of the National Historic Preservation Act;

10. Hold public hearings and meetings; and

11. Perform such other duties and take such other actions as may be directed by the Board of Supervisors.

§507. Assistance. In order to perform its duties and exercise its powers, the Historical Commission may, with the consent of the Board of Supervisors, accept and utilize any funds, personnel, or other assistance made available by Chester County, the Commonwealth or the Federal government or any of their agencies, or from private sources. The Board of Supervisors, in accordance with applicable procedures of the Township and/or other law, may enter into agreements or contracts regarding the acceptance or utilization of such funds, personnel or other assistance by or for the Commission.

**SECTION 2.** In all other respects the provisions of said Chapter 1 of the Code of Ordinances of the Township of East Coventry be and are hereby reenacted and reordained.

**SECTION 3.** The provisions of this Ordinance are severable. If any provision of this Ordinance, or the application thereof to any person or circumstance, is held invalid, the remainder of this Ordinance, and the application of such provision to other persons or circumstances, shall not be affected thereby. It is the intent of the Board of Supervisors that this Ordinance would have been enacted had such invalid provision or application not been included or provided herein.

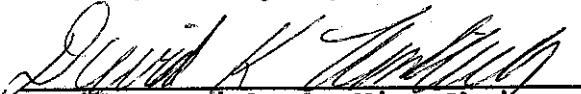
**SECTION 4.** This Ordinance shall become effective five (5) days after enactment hereof.

ENACTED AND ORDAINED this

4<sup>th</sup> day of April, A.D., 1994.

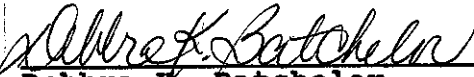
BOARD OF SUPERVISORS OF  
EAST COVENTRY TOWNSHIP,  
CHESTER COUNTY, PENNSYLVANIA

  
Robert J. Megay, Chairman

  
David K. Leinbach, Vice Chairman

  
Douglas E. Kulp, Supervisor

ATTEST:

  
Debra K. Batchelor,  
Towship Secretary